

Staff Summary Report



Council Meeting Date:

3/4/2010

Agenda Item Number: _____

SUBJECT: This is a public hearing to recommend the approval of a Series 12 restaurant continuation liquor license for Irish Pub – Tempe, LLC, Db a Rula Bula Tempe Irish Pub & Restaurant, 401 South Mill Avenue.

DOCUMENT NAME: Rula Bula Tempe - LIQ LIC (0210-02)

COMMENTS: Steven Goumas is the Agent for this application.

PREPARED BY: Ana Perez, Financial Services Technician II (x8651)

REVIEWED BY: Bruce L. Smith, License & Collection Supervisor (x8509)

LEGAL REVIEW BY: David Park, Assistant City Attorney (x8907)

DEPARTMENT REVIEW BY: Jerry Hart, Financial Services Manager (x8505)

FISCAL NOTE: N/A

RECOMMENDATION: Staff recommends that Council approve this application because the applicant and location have met all city and county liquor licensing criteria.

ADDITIONAL INFO: A restaurant continuation liquor license allows the applicant to continue to sell liquor during the application review process. The Arizona Department of Liquor License and Control (ADOL) audited this business to determine whether or not this establishment was meeting the restaurant liquor licensing requirement of food sales constituting a minimum of 40% gross revenue. Audit findings revealed that this establishment would better qualify for a restaurant continuation liquor license which allows a minimum of 30% food sales. There are only fifteen of these licenses issued each fiscal year. Applicants that are granted these special licenses pay a \$30,000 fee to ADOL.

Tempe city code requires that the Tempe Police Department conduct a background investigation on all liquor license applicants. Additionally, the city code requires that business locations be inspected by Fire Prevention, Building Safety and the County Health Department to ensure the establishment meets minimum city and county code licensing criteria. The Development Services Department has determined that a use permit is not required at this time. The premise has been posted for a 20-day period, per Arizona Revised Statute. No public opposition has been received regarding this liquor license application.

State statute requires municipalities to make one of three recommendations to the Arizona Department of Liquor Licenses and Control (AZ DOL):

1. Approval
2. Denial (this results in a public hearing set by the AZ DOL)
3. No recommendation (this may result in a public hearing set by the AZ DOL)